

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID FRANKLIN SLATER,

Defendant.

8:24CR42

MOTION FOR PROTECTIVE ORDER

COMES NOW, the United States of America, by and through the undersigned Assistant United States Attorney, respectfully requests this Court to enter a protective order restricting disclosure of the discovery materials referenced below pursuant to a protective order. Plaintiff makes this request pursuant to Fed. R. Crim. Proc. 16(d)(1). In support of the motion, the undersigned states:

1. The Defendant was charged by Indictment on February 21, 2024, with one count of Conspiracy to Disclose National Defense Information, in violation of Title 18, United States Code, Section 793(g), and two counts of Unauthorized Disclosure of National Defense Information, in violation of Title 18, United States Code, Section 793(d).

2. Upon execution and approval by the Court of this Motion, the Government will provide Defendant's counsel with discovery materials that include personal identifiable information ("PII") and financial information that, if disclosed, creates a risk to the legitimate owner of that information.

3. To preserve the confidential nature of the materials and to prevent unauthorized disclosure of the PII and other sensitive information contained within the discovery materials, the undersigned respectfully requests that this Court enter an order prohibiting disclosure of the discovery materials to anyone other than the Defendant and his counsel and prohibiting the Defendant from retaining or making copies of the discovery materials. Potential witnesses may be shown copies of the discovery materials as necessary to prepare the defense, but they may not retain copies without prior permission of the Court.

4. Counsel for Defendant was emailed about the motion on April 5, 2024. At the time of this filing, the government has not received a response.

WHEREFORE, Plaintiff respectfully requests this Court to enter a protective order restricting disclosure of the discovery provided to defense counsel.

DATED this 8th day of April 2024.

UNITED STATES OF AMERICA, Plaintiff

SUSAN T. LEHR
United States Attorney
District of Nebraska

By: /s/ Donald J. Kleine
DONALD J. KLEINE, #22669
Assistant U.S. Attorney
1620 Dodge Street, Suite 1400
Omaha, NE 68102-1506
Tel: (402) 661-3700
Fax: (402) 661-3084
E-mail: donald.kleine@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all registered participants. I also hereby certify that a copy of the same was served by regular mail, postage prepaid, to the following non-CM/ECF participants: None.

s/ Donald J. Kleine
Assistant U.S. Attorney